

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeffrey J. Richmond (Reg. No. 57,564) on 10/21/08.

### ***Drawings***

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because several of the figures are small and difficult to read. In particular, at least figures 5, 6 and 8-11 should be replaced with drawings that are larger and easier to read. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

### ***Response to Amendment***

3. The after-final amendment filed 9/29/2008 has been entered, resulting in the cancellation of claims 14 and 20-25. Claim 1 has been amended as set forth below.

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The application has been amended as follows:

**REPLACE** claim 1 **WITH:**

A method comprising:

determining whether a registered user of a software distribution system is authorized to perform internal software development activity corresponding to one or more software projects in the software distribution system, where the internal software development activity includes:

populating the software distribution system with data associated with downloadable software including at least product release information corresponding to the downloadable software or packaging information that maps the downloadable software to a displayable image corresponding to the downloadable software,

receiving requisite supervisory authorization to proceed with a publication of the downloadable software, where the requisite supervisory authorization indicates a manager of the software distribution system, other than the registered user, approved the publication of the downloadable software, and

publishing the downloadable software to the software distribution system according to the data populated in the software distribution system, the publishing performed responsive to receiving the requisite supervisory authorization to proceed with the publication;

examining commercial transaction rights of the registered user;

making a determination whether the registered user has entitlement to proceed with a commercial transaction;

prompting the registered user to provide financial consideration for software to be downloaded or to establish a service contract for the software to be downloaded;

investigating to determine whether the registered user successfully provided financial consideration for the software to be downloaded or established a service contract for the software to be downloaded; and

when the registered user is not entitled to proceed with the commercial transaction, executing the commercial transaction when the registered user has provided financial consideration for the software to be downloaded or established a service contract for the software to be downloaded.

#### ***Allowable Subject Matter***

4. Claims 1, 3-13, 15-19, 26, 28-31, 33 and 34 (now renumbered 1-24) are allowed.

#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AARON STRANGE whose telephone number is (571)272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. S./

Examiner, Art Unit 2453

/ARIO ETIENNE/

Supervisory Patent Examiner, Art Unit 2457